

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: September 29, 2004 Name: Tadashi Horie Reg. No. 40,437 Signature: Tadashi Horie

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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hiroji SAITO
Tatsuji NAGAOKA
Tomoko MATSUURA
Mariko WAKAIZUMI

Appln. No.: 09/830,750

Filed: April 30, 2001

For: APPARATUS FOR TRANSMITTING
PROGRAM INFORMATION,
COMMUNICATING SYSTEM, METHOD OF
TRANSMITTING PROGRAM INFORMATION,
METHOD OF INSTRUCTING PROGRAM
RECORDING OPERATION, AND METHOD OF
INSTRUCTING PROGRAM PURCHASING
OPERATION

Examiner: GANTT, Alan T.

Art Unit: 2684

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Technology Center 2600

Attorney Docket No: 9683/77

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Second Information Disclosure Statement, Copy of Chinese Office Action, Form PTO-1449, 2 Cited References
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim						+\$145=		+ \$290=	
					Total	\$		Total	\$

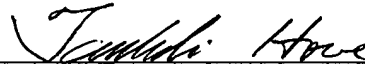
Fee payment:

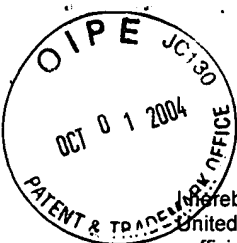
- ☐ A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

September 29, 2004

Date


Tadashi Horie (Reg. No. 40,437)



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September 29, 2004

Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of Applicant, Assignee or
Registered Representative

Tadashi Horie

Signature

September 29, 2004

Date of Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OPERATION

Examiner: GANTT, Alan T.

Art Unit: 2684

Attorney Docket No: 9683/77

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(d), Applicants hereby cite the following reference(s):

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
CN 1216428 A	05/12/1999	China
EP 0 892 554 A2	01/20/1999	EPO

For the Examiner's convenience, Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2)(as modified by the Commissioner's Notice dated July 11, 2003). Reference C1 was cited in an Office Action issued in a counterpart Chinese application. A copy of the Office Action is attached to this Statement. Reference C1 is in Chinese. Applicants are also submitting Reference C2, which is a EPO counterpart of Reference C1.

Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

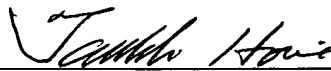
By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

As noted on the Chinese Office Action, it was mailed on July 2, 2004. For purposes of 37 C.F.R. §1.704(d), Applicants certify that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement. Thus, Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

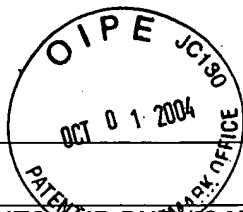
Respectfully submitted,

September 29, 2004

Date



Tadashi Horie (Reg. No. 40,437)



FORM PTO-1449	SERIAL NO. 09/830,750	CASE NO. 9683/77
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	FILING DATE April 30, 2001	GROUP ART UNIT 2684
(use several sheets if necessary)		APPLICANT(S): Hiroji SAITO et al.

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	C					
	C					
	C					
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	C1	CN 1216428 A	05/12/1999	China		Yes
	C2	EP 0 892 554 A2	01/20/1999	EPO		
	C					
	C					
	C					

EXAMINER INITIAL		OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>
	C	
	C	
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	C	
	C	
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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.